



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

☒ **Permanent Rule**
☐ **Emergency Rule**

Effective date of rule:

Permanent Rules

☐ 31 days after filing.
☒ Other (specify) April 1, 2006 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: Residence Modification, chapter 296-14 WAC, Industrial Insurance

Pursuant to Chapter 411, Laws of 2005 (EHB 2185), L&I was directed to implement rules that will establish guidelines and processes for providing residence modification assistance to workers who have sustained catastrophic injury.

Citation of existing rules affected by this order:

Repealed: None
Amended: None
Suspended: None

Statutory authority for adoption: RCW 51.04.010, RCW 51.04.020, RCW 51.32.240 and Chapter 411, Laws of 2005 (EHB 2185)

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 05-22-084 on November 1, 2005.

Describe any changes other than editing from proposed to adopted version: See Attachment (1)

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: February 28, 2006

NAME (TYPE OR PRINT)

Gary K. Weeks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

WSR# 06-06-065

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>21</u>	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Attachment (1)

CR-103

Industrial Insurance, chapter 296-14 WAC - Residence Modification

Describe any changes other than editing from proposed to adopted version:

WAC 296-14-6200 What is a residence modification?

- Example added for clarity.

WAC 296-14-6206 Which residences may be eligible to be modified?

- Amended wording to allow payment for a residence to be brought to state or local code when the work is required to complete a necessary and approved modification.

WAC 296-14-6210 What is the maximum amount of the residence modification benefit?

- Amended wording to allow payment up to maximum benefit in effect at the time each residence modification is approved.

WAC 296-14-6212 Can the worker receive additional modification benefits for the same residence?

- Amended wording to allow payment up to maximum benefit in effect at the time each residence modification is approved.

WAC 296-14-6222 What is a residence modification consultant, and how are they involved in the process of residence modification?

- Amended wording to allow qualified department staff to provide residence modification services without obtaining a provider number.

WAC 296-14-6230 What will the supervisor consider when approving or denying a residence modification request?

- Deleted subsection 11 because this element is no longer necessary as a result of the changes to WAC 296-14-6210 and WAC 296-14-6212.

WAC 296-14-6238 Who receives payment from the department?

- Amended wording to allow reimbursement to the worker for any payment already made to the contractor for approved and completed residence modification.